



Appeal Decision

Site visit made on 24 February 2025

by T Bennett BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 March 2025

Appeal Ref: APP/M5450/W/24/3350722

45-47 Station Road, North Harrow, Harrow HA2 7SU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Shalini Bhargava c/o Krissnaa Services Ltd against the decision of the Council of the London Borough of Harrow.
 - The application Ref is PL/0127/24.
 - The development proposed is conversion of first and second floors from office use to C3 comprising two self contained flats.
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Decision

1. The appeal is dismissed

Main Issue

2. The main issue is whether sufficient information has been presented to demonstrate the loss of office space can be justified.

Preliminary Matter

3. The appellant has submitted marketing information in support of their appeal which was not submitted as part of the original application. The additional information does not seek to amend or evolve the proposed development in any way such that it would amount to a substantial difference or fundamental change. Moreover, whilst noting that the Council have not submitted a statement of case, they have had the opportunity to comment on the submitted information as part of the appeal process and have chosen not to do so. Thus, I consider there would be no procedural unfairness in accepting this information.

Reasons

4. The appeal site is a three-storey terraced property in commercial use, forming part of a shopping parade close to North Harrow underground station. The first and second floors are currently vacant, and the proposal seeks to convert the office use of these floors to residential use.
5. To ensure the Borough maintains a sufficient supply of office stock, Part B of Policy DM 32 of the Development Management Plan Local Policies (2013) (DMP) sets out that proposals for the change of use of offices will be resisted unless it can be demonstrated that the building is no longer fit for office occupation. It details a number of criteria which should be considered when coming to this conclusion, including the age and condition of the building and potential for refurbishment, the existing layout of the building, the needs of potential occupiers

in the local office market, and evidence of continuous and suitable marketing over a 12 month period.

6. In support of the appeal, the appellant has submitted a number of documents. I note that the submitted declaration letter on behalf of Krissnaa Services Ltd explains that the owners have been unsuccessful in attempting to find office-based tenants for the first floor for over four years and that they have not been able to find an office-based client for the second floor since 2023. The appellant states they have used estate agents, word of mouth and offered lower than market rent.
7. However, only one letter from an estate agent confirming they have marketed the property has been presented. The letter from Wex and Co Estate Agents confirms they have marketed the property since May 2023. Whilst this confirms that the first and second floors have been marketed for approximately a year, no information or evidence has been provided on what marketing has been undertaken, such as web listings detailing the market rent offered in comparison to the local area, information on the number of viewings or the erection of a letting board. During my site visit, I did not observe any marketing boards advertising the floors for let. On the basis of the submitted information I cannot therefore be satisfied that suitable marketing as required by Policy DM 32 of the DMP has been conducted over a 12-month period, nor that the building represents a surplus of office space.
8. The appellant has also submitted a letter from Mayfords Estate Agents. However, this only confirms that there is interest in the lettings market for 1 and 2 bedroom properties. It does not state that the office space is surplus to requirements, nor does it demonstrate any regard to the criteria set out in part B of Policy DM 32.
9. The appellant asserts that businesses are using local coffee shops or co-working office space and that since Covid, demand for offices has fallen. Whilst I accept this likely disrupts working patterns, there is limited compelling evidence before me to suggest the local office market demand has declined, such as information demonstrating an increase in office units for rent in the local area. The appellant has made general statements, but limited information has been submitted to corroborate these. There is no specific information demonstrating the needs of potential occupiers in the local office market, showing the appeal site is no longer fit for office occupation.
10. The shortcomings of the building are noted, including limited parking and office access from the rear. This may not be an attractive proposition for some potential tenants. However, the appeal site is in a very accessible location, close to transport hubs, including North Harrow underground station. No information has been submitted to demonstrate whether some of the shortcomings could be partially overcome. When I entered the site, I accessed the office space through the front, and there is nothing before me to say that this would not be a feasible solution.
11. For the above reasons, I am not satisfied that sufficient information has been submitted to justify the loss of office space. The proposal therefore conflicts with Policy DM 32 of the DMP. With limited evidence to demonstrate that the existing office space is surplus, the proposal would conflict with Policy E1 of the London Plan (2021). This seeks, amongst other matters, to improve the quality, flexibility and adaptability of office space of different sizes supported by refurbishment.

12. Policy CS.1B of the Harrow Core Strategy (2012) has been listed on the decision notice. However, this relates to character and appearance. As this does not relate to the reason for refusal, it has not been determinative in my decision-making.

Other Matters

13. While neighbouring properties may be in residential use on the first and second floor this does not demonstrate that the building is no longer fit for office occupation as required by development plan policy.
14. I agree with the Council that there would be no adverse impact on the living conditions of neighbouring occupiers and that the proposal would accord with space standards, with no stacking issues. However, these are a neutral consideration, weighing neither for nor against the proposal.
15. In support of the proposal, the appellant has referred to Policy DM2 of the DMP. I acknowledge that the proposal is in principle considered an acceptable location for flat conversion. There would be benefits arising from the development which weigh in favour of the scheme, it would add two flats to the housing stock, at a time when there is a national shortage of housing. The flats would be in an accessible location, close to amenities, with cycle storage encouraging more sustainable forms of transportation. However, whilst I am mindful of these factors, the existing use is an office for which local development plan policy requires justification for the loss of such a use. Moreover, I have no evidence before me to indicate that there is a specific shortfall of housing within the Borough. These factors therefore do not outweigh the conflict I have identified.

Conclusion

16. The proposal conflicts with the development plan as a whole and the material considerations weighing in favour of the proposal do not indicate that the appeal should be decided other than in accordance with it. The appeal is therefore dismissed.

T Bennett

INSPECTOR